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3:12-cv-2039
(G.A.G)

IN THE UNITED STATES SUPREME COURT

2014 JUL 28 PM 2:04

Appendix A.

No.

CLERK'S OFFICE
U.S. DISTRICT COURT
UNITED STATES

Plaintiff-Appellee

JORGE DIAZ-CASTRO

Petitioner-Appellant

v.

COMMONWEALTH OF PUERTO RICO; PUERTO RICO POLICE DEPARTMENT

Defendant-Appellees

ON PETITION FOR A WRIT OF CERTIORARI
TO THE HONORABLE FIRST CIRCUIT COURT OF APPEALS

(AMENDED) MOTION TO PROCEED IN FORMA PAUPERIS

COUNSEL OF RECORD:

FOR THE UNITED STATES:

1. Mr. Donald B. Verrilli, Jr.
Solicitor General of the United States
Department of Justice
950 Pennsylvania Ave., N. W., Room 5614,
Washington, DC 20530-0001

PETITIONER IS CURRENTLY APPEARING PRO SE:

1. Mr. Jorge Díaz-Castro
P.O. Box #9021288
San Juan, P.R. 00902-1288

**IN THE UNITED STATES SUPREME COURT
(AMENDED) MOTION TO PROCEED IN FORMA PAUPERIS**

No.

Page No. 2.

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

1. Jorge Diaz Castro, as Proposed Intervening Defendant in case 3:12-CV-2039 at the Honorable United States District Court for Puerto Rico; as Appellant in cases 13-2079 and 13-2306 at the Honorable First Circuit Court of Appeals; and as Applicant in Case No. 13A1220; hereby moves for leave to appear *in forma pauperis* pursuant to 28 U.S.C. § 1915, and to Rule No. 39 of the Rules of the Honorable Supreme Court of the United States. Movant is unable to make full prepayment of fees or to give security therefore; and believes that he is entitled to Petition for a Writ of Certiorari; and have not divested myself of any property, monies, or any items of value for the purpose of avoiding payment of fees.

2. *In forma pauperis* status was granted for the appeal at the Honorable First Circuit Court of Appeals, upon application to the Honorable U.S. District Court for Puerto Rico.

3. The Honorable Justice Stephen G. Breyer granted the application for extension of the time to file; graciously extending the term to August 10th, 2014.

4. The instant motion accompanies an application for stay of judgment; which is being directed, once again, to the Honorable Justice Stephen G. Breyer; and which may be referred to the Court. The instant motion may be left on file for subsequent filings.

5. The instant motion *in forma pauperis* is substantially similar to the motion filed on June 2nd, 2014; except that Movant is now enclosing an original and ten (10) copies; in accordance to Sup. Ct. R. No. 12.2, 21, 29, 33.2, 34, and 39.

Continued...

IN THE UNITED STATES SUPREME COURT
(AMENDED) MOTION TO PROCEED IN FORMA PAUPERIS

No.

Page No. 3.

FOR ALL THE REASONS STATED ABOVE, Movant requests that the Honorable United States Supreme Court grant *in forma pauperis* status in the Instant case.

WHEREFORE, Movant Jorge Díaz-Castro hereby respectfully moves this Honorable United States Supreme Court to grant *in forma pauperis* status in the instant case.

RESPECTFULLY SUBMITTED, in San Juan, P.R., on July 11th, 2014.



Jorge Díaz-Castro, PRO SE
P.O. Box #9021288
San Juan, P.R. 00902-1288
Email: transcripciones@mail.com

IN THE UNITED STATES SUPREME COURT

No.

UNITED STATES

Plaintiff-Appellee

JORGE DIAZ-CASTRO

Petitioner-Appellant

v.

COMMONWEALTH OF PUERTO RICO; PUERTO RICO POLICE DEPARTMENT

Defendant-Appellees

ON PETITION FOR A WRIT OF CERTIORARI
TO THE HONORABLE FIRST CIRCUIT COURT OF APPEALS

CERTIFICATE OF SERVICE

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Movant hereby certifies that a copy of the instant motion to proceed *in forma pauperis* shall be mailed on or before July 14th, 2014, to Mr. Donald B. Verrilli, Jr., the Solicitor General of the United States, Room 5614, U.S. Department of Justice, 950 Pennsylvania Ave., N. W., Washington, DC 20530-0001, pursuant to Sup. Ct. R. No. 29(3) & No. 29(4)(a) of the Rules of the Honorable Supreme Court of the United States.



Jorge Diaz-Castro, PRO SE

P.O. Box #9021288

San Juan, P.R. 00902-1288

Email: transcripciones@mail.com

IN THE UNITED STATES SUPREME COURT

No.

UNITED STATES

Plaintiff-Appellee

JORGE DIAZ-CASTRO

Petitioner-Appellant

v.

COMMONWEALTH OF PUERTO RICO; PUERTO RICO POLICE DEPARTMENT

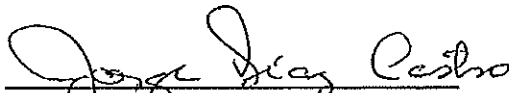
Defendant-Appellees

ON PETITION FOR A WRIT OF CERTIORARI
TO THE HONORABLE FIRST CIRCUIT COURT OF APPEALS

ADDENDUM TO CERTIFICATE OF SERVICE
FOR ELECTRONIC FILERS (CM/ECF FILERS)

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Movant hereby certifies that a copy of the instant motion shall be filed, along with a notice of filing, with the Honorable U.S. Court of Appeals for the First Circuit, and with the Honorable U.S. District Court for Puerto Rico, on or before July 14th, 2014; and that the official parties and/or their counsel of record that are registered as ECF filers will be served by the CM/ECF system, pursuant to Sup. Ct. R. No. 23(3).



Jorge Díaz-Castro, PRO SE

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**AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO APPEAL IN FORMAT PAUPERIS**

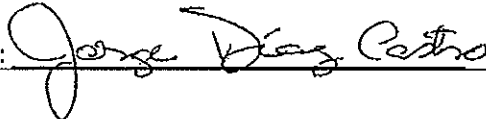
United States of America, Plaintiff

District Court No. 2012-CV-2039

Appeal No. U.S.C.A. No. 13-2079, No. 13-2306

v.

Commonwealth of Puerto Rico, Defendant
Jorge Díaz-Castro, Proposed Intervenor

Affidavit in Support of Motion	Instructions
<p>I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)</p>	<p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p>
<p>Signed: </p>	<p>Date: July 7th, 2014.</p>

My issues on appeal are:

I am Petitioning the Honorable Supreme Court of the United States for a Writ of Certiorari to the Honorable First Circuit Court of Appeals. This Court has jurisdiction under 28 U.S.C. § 1254(1). For more detail, please see the Petition itself, yet to be filed.

- For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$0.00	\$ n/a	\$0.00	\$ n/a
Self-employment	\$0.00	\$ n/a	\$0.00	\$ n/a
Income from real property (such as rental income)	\$0.00	\$ n/a	\$0.00	\$ n/a
Interest and dividends	\$0.00	\$ n/a	\$0.00	\$ n/a
Gifts	\$0.00	\$ n/a	\$0.00	\$ n/a
Alimony	\$0.00	\$ n/a	\$0.00	\$ n/a
Child support	\$0.00	\$ n/a	\$0.00	\$ n/a
Retirement (such as social security, pensions, annuities, insurance)	\$0.00	\$ n/a	\$0.00	\$ n/a
Disability (such as social security, insurance payments)	\$0.00	\$ n/a	\$0.00	\$ n/a
Unemployment payments	\$0.00	\$ n/a	\$0.00	\$ n/a

Public-assistance (such as welfare)	\$ 112.00	\$ n/a	\$ 112.00	\$ n/a
Other (specify):	\$ 0.00	\$ n/a	\$ 0.00	\$ n/a
Total monthly income:	\$ 112	\$ 0	\$ 112	\$ 0

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Unemployed since 12/2002.	n/a	n/a	\$ n/a
---	---	---	\$ ---
---	---	---	\$ ---

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
Single.	n/a	n/a	\$ n/a
---	---	---	\$ ---
---	---	---	\$ ---

4. How much cash do you and your spouse have? \$ 25.00 (twenty-five U.S. dollars)

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
No bank accounts at present	n/a	\$ n/a	\$ n/a
---	---	\$ ---	\$ ---
---	---	\$ ---	\$ ---

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	Other real estate	Motor vehicle #1
(Value) \$ No home.	(Value) \$ No other real estate.	(Value) \$ No automobile.
		Make and year: n/a
		Model: n/a
		Registration #: n/a

Motor vehicle #2	Other assets	Other assets
(Value) \$ n/a	(Value) \$ No other major asset.	(Value) \$ n/a
Make and year: n/a		
Model: n/a		
Registration #: n/a		

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
None	\$ n/a	\$ n/a
---	\$ ---	\$ ---
---	\$ ---	\$ ---
---	\$ ---	\$ ---

7. State the persons who rely on you or your spouse for support.

Name [or, if under 18, initials only]	Relationship	Age
I am only responsible for myself.	Self.	52
n/a	n/a	n/a
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8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 0.00	\$ n/a
Are real estate taxes included? [] Yes [✓] No		
Is property insurance included? [] Yes [✓] No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0.00	\$ n/a
Home maintenance (repairs and upkeep)	\$ 0.00	\$ n/a
Food	\$ 102.00	\$ n/a
Clothing	\$ 0.00	\$ n/a
Laundry and dry-cleaning	\$ 0.00	\$ n/a
Medical and dental expenses	\$ 0.00	\$ n/a
Transportation (not including motor vehicle payments)	\$ 10.00	\$ n/a
Recreation, entertainment, newspapers, magazines, etc.	\$ 0.00	\$ n/a
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renters:	\$ 0.00	\$ n/a
Life:	\$ 0.00	\$ n/a
Health:	\$ 0.00	\$ n/a
Motor vehicle:	\$ 0.00	\$ n/a
Other: n/a	\$ 0.00	\$ n/a
Taxes (not deducted from wages or included in mortgage payments) (specify): n/a	\$ 0.00	\$ n/a

Installment payments		
Motor vehicle:	\$ 0.00	\$ n/a
Credit card (name):	\$ 0.00	\$ n/a
Department store (name):	\$ 0.00	\$ n/a
Other:	\$ 0.00	\$ n/a
Alimony, maintenance, and support paid to others	\$ 0.00	\$ n/a
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0.00	\$ n/a
Other (specify):	\$ 0.00	\$ n/a
Total monthly expenses:	\$ 112	\$ 0

9. *Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?*
- ☐ Yes ☒ No If yes, describe on an attached sheet.
10. *Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?*
- ☒ Yes ☐ No If yes, how much? Approximately \$50.00 for filing at the U.S. Supreme Court.
11. *Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*
- As stated in my application to extend the time to file, I am handicapped; in need of medical attention; and therefore, unfortunately, am not able to seek gainful employment.
12. *State the city and state of your legal residence:* San Juan, Puerto Rico
Your daytime phone number: (787) 767-7355 (message)
Your age: 52 *Your years of schooling:* bachelor's degree
Last four digits of your social-security number: 6825